

REMARKS

Claims 1-24 are pending in the present application. By this amendment, claims 1, 13, 18, 23 and 24 are amended. Support for amended claims can be found throughout the specification. No new matter is added. Reconsideration and allowance of the application are respectfully requested.

CLAIM OBJECTIONS

Claims 9, 10, 12, 16 and 17 are objected to by the Examiner. In particular, the Examiner asserts that "A claim which depends from a dependent claim should not be separated by any claim which does not also depend from said dependent claim." Applicants respectfully traverse this objection.

Initially, Applicants request the Examiner to clarify his objections. In particular, Applicants believe that claims 9, 10, 12, 16 and 17 clearly depend from a dependent claim that is not separated by any claim which depends from a dependent claim. Applicants further reviewed MPEP § 608.01(n), which is directed to multiple dependent claims, and assert that claim 9, 10, 12, 16 and 17 are not improper multiple dependent claims (i.e., claims 9, 10, 12 depend directly and/or indirectly to independent claim 1; and claims 16 and 17 depend directly and/or indirectly to independent claim 13). Thus, either withdrawal or clarification of the objections is respectfully requested.

CLAIM REJECTIONS UNDER 35 U.S.C. §102

Claims 1-6, 9-12, 23 and 24 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Marlevi et al. (hereinafter “Marlevi”), US Patent 5,572,221. Applicants disagree and traverse these rejections for at least the following reasons.

Claims 1, 13, 17, 18, 23 and 24 determine a future location coordinate of a mobile unit based on GPS data.

In contrast, Marlevi does not use GPS data to predict a next location of a mobile terminal. Instead, Marlevi uses a stored “motion predictor” and previous locations of a mobile, to make its prediction.

Because Marlevi fails to disclose each and every feature of the claimed invention, it cannot anticipate claims 1, 13, 17, 18, 23 and 24. Accordingly, withdrawal of the pending rejection and allowance of claims 1-6, 9-20, 23 and 24 is respectfully requested.

CLAIM REJECTIONS UNDER 35 U.S.C. §103

Claims 7, 8, 21 and 22 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Marlevi in view of Yea et al. (hereinafter “Yea”) U.S. Patent, 6,829, 491. Applicants disagree and traverse these rejections for at least the following reasons.

Applicants note that these claims depend from claim 1 or 18.

Applicants also note the Examiner's admission that Marlevi does not disclose the protocol database revisions/updates in claims 7, 8, 21 and 22. To make up for these deficiencies, the Examiner relies on Yea.

Yea, however, does not disclose or suggest the use of GPS data to determine the future location of a mobile or the selection of a protocol based on such a future location. As such, Yea does not make up for the deficiencies in Marlevi.

Accordingly, Applicants respectfully submit that neither Marlevi nor Yea, taken individually or in combination, render obvious claims 7, 8, 21 and 22. Reconsideration and withdrawal of the pending rejections and allowance of claims 7, 8, 21 and 22 is respectfully requested.

CONCLUSION

In view of the above amendments and remarks, reconsideration of the various rejections and allowance of claims 1-24 is respectfully requested.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY & PIERCE, P.L.C.

By: _____

John E. Curtin, Reg. No. 37,602
P.O. Box 8910
Reston, Virginia 20195
(703) 668-8000

JEC/DJC